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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/593,828	09/22/2006	Kazuyoshi Toriyama	723-1984	4629

27562 7590 04/14/2010

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EXAMINER	
ORR, HENRY W	

ART UNIT	PAPER NUMBER
2175	

MAIL DATE	DELIVERY MODE
04/14/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/593,828	TORIYAMA, KAZUYOSHI	
	Examiner	Art Unit	
	HENRY ORR	2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 February 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *12/22/2009*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to applicant's amendment dated 2/1/2010

2. Claims 1-18 are pending in the case.

3. Claims 1, 4 and 12-18 are independent claims.

Applicant's Response

4. In Applicant's response dated 2/1/2010, applicant has amended the following:

a) Claims 1-18

Based on Applicant's amendments and remarks, the following objections and rejections previously set forth in Office Action dated 10/30/2009 are withdrawn:

a) Objection to claims 2 and 9

b) 32 U.S.C. 112 2nd rejection to claims 6 and 11

Information Disclosure Statement

5. The information disclosure statement (IDS) submitted on 12/22/2009 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

Specification

6. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: the recited **"*storage programmed logic circuitry,***

detector*, *controller, setter and ***medium*"** of the claims. The Specification does not provide support or antecedent basis for the recited "***storage programmed logic circuitry, detector, controller, setter*** and ***medium*"** in a way that allows the meaning of the terms to be ascertained, as required in 37 CFR 1.75(d)(1). In other words, the specification fails to make certain whether the meaning of the terms "***storage programmed logic circuitry, detector, controller, setter and medium*"** necessarily include a hardware component.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. **Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Cutler et al. (hereinafter "Cutler"), U.S. Patent Publication No. 2005/0188329 A1.**

Claim 1:

Cutler teaches **an information processing apparatus, comprising: a storage programmed logic circuitry for storing data** (see par. 29-30; memory and storage devices) **to display a plurality of windows** (see Figure 2; sub application windows)

and data to display a plurality of selection areas which respectively correspond to said plurality of windows, (see par. 58-59, Figure 7; iconic sub application windows in navigation box serve as the recited "selection areas") **a display for including a first display area on which only a predetermined window out of the plurality of windows is displayed or the plurality of windows are displayed in an overlapping manner** (see par. 42, Figure 3; Screen 56k illustrate overlapping windows) **and a second display area on which said plurality of selection areas are displayed, a detector for detecting an input to display positions of said plurality of selection areas,** (see Figure 7; screen area where navigation box is located serves as recited "second display area") **and a first display controller for displaying, when it is determined that a first predetermined input is performed within a selection area corresponding to a window displayed on said first display area or a window displayed on a forefront by said detector, the window corresponding to the selection area on said second display area** (see par. 59; sub-application windows can be moved from one screen to another screen via navigation box).

Claim 2:

Cutler teaches **a second display controller for displaying, when it is determined that a first predetermined input is performed within a selection area corresponding to a window which is not displayed on said first display area and said second display area or a window a part of which is hidden under the window displayed on the forefront on said first display area by said detector, the window**

corresponding to the selection area on said first display area or on the forefront on said first display area (see par. 42; sub application windows can be arranged as desired by user).

Claim 3:

Cutler teaches **a third display controller for displaying, when it is determined that a second predetermined input is performed within a selection area corresponding to a window which is not displayed on said first display area and said second display area or a window a part of which is hidden under the window displayed on the forefront on said first display area by said detector, the window corresponding to the selection area on said second display area** (see par. 59; sub-application windows can be moved from one screen to another screen via navigation box. Examiner notes that the iconic sub application windows in the navigation box may move the actual sub application window from one screen to another regardless of whether the window is overlapped or cascaded.).

Claim 4:

Cutler teaches **a storage programmed logic circuitry** (see par. 29-30; memory and storage devices) **to display a plurality of windows** (see Figure 2; sub application windows) **and data to display a plurality of selection areas which respectively correspond to said plurality of windows,** (see par. 58-59, Figure 7; iconic sub application windows in navigation box serve as the recited "selection areas") **a display**

for including a first display area on which only a predetermined window out of the plurality of windows is displayed or said plurality of windows are displayed in an overlapping manner (see par. 42, Figure 3; Screen 56k illustrate overlapping windows) **and a second display area on which said plurality of selection areas are displayed,** (see Figure 7; screen area where navigation box is located serves as recited "second display area") **a detector for detecting an input to display positions of said plurality of selection areas,** (see par. 57; user activates a navigation box which displays positions of iconic sub application windows) **and a third display controller for displaying, when it is determined that a second predetermined input is performed at a display position of a selection area corresponding to a window which is not displayed on said first display area and said second display area or a window a part of which is hidden under the window displayed on a forefront on said first display area by said detector, the window corresponding to the selection area on said second display area** (see par. 42; overlapping or cascaded windows, par. 59; sub-application windows can be moved from one screen to another screen via navigation box, Examiner notes Cutler's Figure 3 illustrates many screens. Therefore, a window may be moved from a different screen out of the plurality of screens that is not a first or second display area (i.e., screen). Examiner further notes that the iconic sub application windows in the navigation box may move the actual sub application window from one screen to another regardless of whether the window is overlapped or cascaded (see Figures 3 and 7)).

Claim 5:

Cutler teaches **a first display controller for displaying, when it is determined that a first predetermined input is performed within a selection area corresponding to a window displayed on said first display area or the window displayed on the forefront by said detector, the window corresponding to the selection area on said second display area** (see par. 59; sub-application windows can be moved from one screen to another screen via navigation box).

Claim 6:

Cutler teaches **wherein said detector detects an input to an arbitrary position of said second display area, and further comprising a setter for setting, when a window is displayed on said second display area by said first display controller or said third display controller, the window to an inputable state from said detector** (see par. 59; sub-application windows capable of receiving input can be moved from one screen to another screen via navigation box).

Claim 7:

Cutler teaches **a fourth display controller for displaying, when it is determined that a predetermined input is performed within a selection area corresponding to the window displayed on said second display area, the window**

corresponding to the selection area of the forefront on said first display area (see par. 42; sub application windows can be arranged as desired by user).

Claim 8:

Cutler teaches **a fifth display controller for displaying, in a case that said window is displayed on said second display area and when it is determined that other window is being displayed on said second display area, the other window on the forefront on said first display area** (see par. 42; sub application windows can be arranged as desired by user).

Claim 9:

Cutler teaches **wherein said detector detects said first predetermined input on the basis of the input data from a touch panel which is not set on said first display area but set on said second display area** (see par. 67; touch screen).

Claim 10:

Cutler teaches **wherein said storage programmed logic circuitry stores data to display a basic input window to be displayed on said second display area, and further comprising a basic display controller for displaying said basic input window on said second display area when no window to be displayed on said second display area is present** (see par. 59; sub-application windows capable of

receiving input can be moved from one screen to another screen via navigation box).

Claim 11:

Cutler teaches **generating programmed logic circuitry for, when a predetermined coordinates input is performed to said window displayed on said second display area, generating data to display a new window and data to display a new selection area, and storing the generated data in said storage programmed logic circuitry by bringing the data to display a new window and the data to display a new selection area into correspondence with each other, and a selection area display controller for displaying said selection area generated by said generating programmed logic circuitry on said second display area** (see par. 59; sub-application windows can be moved from one screen to another screen via navigation box. Examiner notes that sub-applications and their corresponding iconic representation displayed via navigation box may be newly created).

Claim 12:

Cutler teaches **an information processing program of an information processing apparatus comprising storage programmed logic circuitry for storing data** (see par. 29-30; memory and storage devices) **to display a plurality of windows** (see Figure 2; sub application windows) **and data to display a plurality of selection areas which respectively correspond to said plurality of windows** (see par. 58-59,

Figure 7; iconic sub application windows in navigation box serve as the recited "selection areas"), **and a display for including a first display area on which only a predetermined window out of the plurality of windows is displayed or said plurality of windows are displayed in an overlapping manner,** (see par. 42, Figure 3; Screen 56k illustrate overlapping windows) **and a second display area on which said plurality of selection areas are displayed,** (see Figure 7; screen area where navigation box is located serves as recited "second display area") **causing a processor of said information processing apparatus to execute detecting an input to display positions of said plurality of selection areas,** (see par. 57; user activates a navigation box which displays positions of iconic sub application windows) **and displaying, when it is determined that a first predetermined input is performed within a selection area corresponding to a window displayed on said first display area or a window displayed on a forefront, the window corresponding to the selection area on said second display area** (see par. 59; sub-application windows can be moved from one screen to another screen via navigation box).

Claim 13:

Claim 13 is substantially encompassed in claim 12; therefore the claim 13 is rejected under the same rationale as claim 12 above.

Claim 14:

Claim 14 is substantially encompassed in claim 12; therefore the claim 14 is rejected under the same rationale as claim 12 above.

Claim 15:

Cutler teaches **an information processing program of an information processing apparatus comprising storage programmed logic circuitry for storing data** (see par. 29-30; memory and storage devices) **to display a plurality of windows** (see Figure 2; sub application windows) **and data to display a plurality of selection areas which are respectively correspond to said plurality of windows,** (see par. 58-59, Figure 7; iconic sub application windows in navigation box serve as the recited "selection areas") **and a display for including a first display area on which only a predetermined window out of the plurality of windows is displayed or the plurality of windows are displayed in an overlapping manner,** (see par. 42, Figure 3; Screen 56k illustrate overlapping windows) **and a second display area on which said plurality of selection areas are displayed,** (see Figure 7; screen area where navigation box is located serves as recited "second display area") **causing a processor of said information processing apparatus to execute detecting an input to display positions of said plurality of selection areas,** (see par. 57; user activates a navigation box which displays positions of iconic sub application windows) **and displaying, when it is determined that a second predetermined input is performed at a display position of a selection area corresponding to a window which is not displayed on said first display area and said second display area or a window a**

part of which is hidden under the window displayed on a forefront on said first display area, the window corresponding to the selection area on said second display area (see par. 42; overlapping or cascaded windows, par. 59; sub-application windows can be moved from one screen to another screen via navigation box, Examiner notes Cutler's Figure 3 illustrates many screens. Therefore, a window may be moved from a different screen out of the plurality of screens that is not a first or second display area (i.e., screen). Examiner further notes that the iconic sub application windows in the navigation box may move the actual sub application window from one screen to another regardless of whether the window is overlapped or cascaded. (see Figures 3 and 7)).

Claim 16:

Claim 16 is substantially encompassed in claim 15; therefore the claim 16 is rejected under the same rationale as claim 15 above.

Claim 17:

Claim 17 is substantially encompassed in claim 12; therefore the claim 17 is rejected under the same rationale as claim 12 above.

Claim 18:

Claim 18 is substantially encompassed in claim 12; therefore the claim 18 is rejected under the same rationale as claim 12 above.

Response to Arguments

Applicant's arguments filed 2/1/2010 have been fully considered but they are not persuasive.

Rejections under 35 U.S.C. 102(e):

Applicant argues that Cutler fails to teach or suggest "moving the window from the screen 56k in Fig. 3 to the navigation box 84" (see Response page 16).

Examiner notes that the features of "moving the window from the screen 56k in Fig. 3 to the navigation box 84 are not recited in the rejected claims". Examiner further notes that the Cutler reference is not being relied upon to teach "moving the window from the screen 56k in Fig. 3 to the navigation box 84".

It appears that Applicant is further arguing that Cutler fails to teach or suggest "first display controller for displaying, when it is determined that a first predetermined input is performed within a selection area corresponding to a window displayed on said first display area or a window displayed on a forefront by said detector, the window corresponding to the selection area on said second display area" (see Response pages 15-16).

Examiner respectfully disagrees.

Examiner relies on the navigation box to teach the recited second display area. Examiner relies on the screen 56k to teach the recited first display area. As admitted by

Applicant, the navigation box 84 is a representation of the application workspace. Therefore, when an icon is moved in the navigation box, the corresponding application window is moved in the workspace (e.g., screen 56k). Examiner submits that an icon in the navigation box is relied upon to teach a "selection area" corresponding to a window (i.e., application window) in the first display area (e.g., screen 56k). In other words, the icons (i.e., selection areas) located within the navigation box 84 (i.e., second display area) may correspond to the application windows shown in the screen 56k (i.e., first display area). Therefore, Cutler does teach or suggest "first display controller for displaying, when it is determined that a first predetermined input is performed within a selection area corresponding to a window displayed on said first display area or a window displayed on a forefront by said detector, the window corresponding to the selection area on said second display area".

Applicant arguments with respect to claims 2-18 are substantially encompassed in the arguments under 35 U.S.C 102(e) above, therefore examiner responds with the same rationale as stated above.

For at least the foregoing reasons, Examiner maintains prior art rejections.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HENRY ORR whose telephone number is (571)270-1308. The examiner can normally be reached on Monday thru Friday 8 to 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William L. Bashore can be reached on (571) 272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

4/7/2010
HO

/William L. Bashore/
Supervisory Patent Examiner, Art Unit 2175